

REMARKS

Applicant appreciates Examiner's indication that the distinctions submitted by the Applicant during the telephone interview conducted on September 28, 2005 are sufficient to distinguish the claimed invention from the cited prior art references. Claims 1-19 are pending in the application. Claim 1 was amended to correct a minor informality and to further clarify the Applicant's invention. Reconsideration of the present application, as amended, is respectfully requested.

The Examiner rejected claims 1 to 19 under 35 U.S.C. §103(a) as being anticipated by Itakura et al. (U.S. 6,278,873B1) in view of Bolanos (U.S. 6,926,144A). These rejections are respectfully traversed. As discussed during the Interview with the Examiner, neither Itakura et al. nor Bolanos, taken either alone or in combination, discloses the wearable device of claim 1. Thus, the combination of Itakura et. al. and Bolanos does not teach or suggest claim 1 or claims 2 to 19, which depend therefrom.

Claim 1 clearly claims a loop antenna wherein the first plane is substantially coplanar with the second plane. The Examiner concedes on page 4 of the Office Action that Itakura fails to teach a loop antenna wherein the first plane is substantially coplanar with the second plane. The Action cites Bolanos for teaching this feature.

Applicant respectfully suggests that Bolanos does not disclose a loop antenna wherein the first plane is substantially coplanar with the second plane. Rather, Bolanos et al. discloses a loop-shaped antenna 302, which comprises conductor portions 418, 420, 422, and 416 (see Figs. 4 and 7), and a circuit board 406. The loop of antenna 302 starts from one connection tab 424, continues through parts 418, 420, 416, 422 and 418, respectively, and ends at another connection tab 424. The loop of antenna 302 is not planar. Rather, the loop antenna 302 extends in all three dimensions (see Fig. 4). Moreover, even if the loop (i.e. parts 418, 420, 416, 422, 46, 422 and 418 respectively) formed by antenna 302 was considered as disposed in a plane, such a plane would be vertical (see Figures 4 and 7), whereas the circuit board 406 is clearly disposed on a horizontal plane (see Figures 4, 6 and 7). In other words, such a plane of the loop between connection tabs 424 of antenna 302 is in fact substantially perpendicular to the plane of the circuit board 406. The Bolanos vertically disposed loop antenna is not coplanar as it does not lie in the same plane with the circuit board. Thus, Bolanos et al. fails to teach an essential feature of the present invention i.e. said first plane being substantially coplanar, as is clearly claimed in independent claim 1.

Since the combination of Itakura and Bolanos does not disclose or suggest all the limitations of claim 1, it does not render obvious claim 1. Claims 2 to 19, which depend directly or indirectly from claim 1 and add further features thereto are not obvious for at least the reasons discussed with respect to claim 1. Accordingly, the rejections under 35 U.S.C. § 103(a) of claims 1 to 19 should be withdrawn and claims 1 to 19 should be allowed.

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Amdt. Dated October 3, 2005
Reply to Office Action of March 25, 2005

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Conclusion

In view of the foregoing, Applicant respectfully submits that all claims presented in this application are currently in condition for allowance. Accordingly, Applicant respectfully requests favorable consideration and that this application be passed to allowance.

Should any changes to the claims and/or specification be deemed necessary to place the application in condition for allowance, the Examiner is respectfully requested to contact the undersigned to discuss the same.

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A petition for a two-month extension of time is filed herewith. Applicant's representative believes that this response is being filed in a timely manner. In the event that any extension and/or fee is required for the entry of this amendment the Commissioner is hereby authorized to charge said fee to Deposit Account No. 50-0518 in the name of Steinberg & Raskin, P.C.

An early and favorable action on the merits is earnestly solicited.

Respectfully submitted,
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